

Message Text

CONFIDENTIAL

PAGE 01 JAKART 09933 240907Z
ACTION L-03

INFO OCT-01 EA-10 ISO-00 CA-01 JUSE-00 /015 W
-----035283 241322Z /46
R 240821Z JUL 78
FM AMEMBASSY JAKARTA
TO SECSTATE WASHDC 353

C O N F I D E N T I A L JAKARTA 9933

E.O. 11652: GDS
TAGS: PDIP, US, ID
SUBJECT: US-INDONESIAN EXTRADITION TREATY

REF: JAKARTA 978

1. JULY 24 FONMIN LEGAL DIRECTOR HASHIM DJALAL INFORMED EMB-OFFS THAT HE HAD HEARD NOTHING YET FROM THE MINISTRY OF JUSTICE ABOUT THE U.S. DRAFT FOR A U.S.-INDONESIAN EXTRADITION TREATY SUBMITTED TO THEM SEVERAL MONTHS AGO. HE WROTE A LETTER TO THE JUSTICE MINISTRY LAST WEEK ASKING FOR A STATUS REPORT AND SAID HE WOULD CONTINUE TO PROD THEM.

2. DJALAL REVEALED ON A CONFIDENTIAL BASIS THAT ONE REASON FOR THE DELAY IS A BASIC POLICY QUESTION STILL TO BE RESOLVED BETWEEN THE TWO MINISTRIES CONCERNING TREATIES INHERITED FROM DUTCH RULE. THE JUSTICE MINISTRY HAS TAKEN THE POSITION IN THE PAST THAT UNLESS SPECIFICALLY RENOUNCED, THESE TREATIES CONTINUED IN FORCE. IT HAS BEEN ANNOYED BY A CONTRARY PRINCIPLE ADOPTED BY THE FOREIGN AFFAIRS MINISTRY WHEREBY OLD DUTCH TREATIES WERE AUTOMATICALLY DEFUNCT UNLESS THE GOI SPECIFICALLY STATED A PARTICULAR TREATY REMAINED IN FORCE. BECAUSE THE NEW FOREIGN MINISTER USED TO HEAD THE JUSTICE MINISTRY, THERE IS A POSSIBILITY THAT HE WILL REVERSE THE FOREIGN AFFAIRS MINISTRY POSITION IN FAVOR OF HIS OLD DEPARTMENT, BUT THIS HAS STILL TO BE DETERMINED. AS EMBOFF POINTED OUT, ADOPTION OF THE JUSTICE MINISTRY
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POSITION WOULD CERTAINLY SIMPLIFY OUR BILATERAL LEGAL RELATIONS.
GARDNER

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION AGREEMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 24 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Litigation History:
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